

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q76459

Ryuji UENO

Appln. No.: 10/562,637

Group Art Unit: 1615

Confirmation No.: 8742

Examiner: Humera N. Sheikh

Filed: June 1, 2006

For: ENTERIC COATED COMPOSITION COMPRISING PROSTAGLANDIN ANALOGS
AS CHLORIDE CHANNEL OPENER

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Election of Species Requirement set forth in the Office Action dated January 22, 2010.

In the Office Action, the Examiner requires that Applicant elect one of the following species for prosecution on the merits:

- (a) C1C, C1C-2; or
- (b) prostaglandin compound

In this regard, the Examiner notes that claims 2 and 3 correspond to species (a), and claim 4 corresponds to species (b). Also, the Examiner indicates that claim 1 is generic. Further, the Examiner notes that if Applicant elects species (b) (claim 4 - prostaglandin compound), Applicant is also required to elected from the following:

- (c) a species of formula I (see claim 5); or
- (d) a species of formula III (see claims 17-19).

In response to the Examiner's requirement, Applicant elects the following species without traverse:

- (b) prostaglandin compound, and
- (d) formula (III) (in regard to formula (III), Applicant elects "hydrogen or hydroxy" as the species for "R₄' and R₅'").

Applicants submit that claim 1, claims 4-16 (in part), and claims 17-19 are readable on the elected species.

Applicant submits that if any of the elected claims is found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 22, 2010

Respectfully submitted,



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